

Delegated Decision Report

Application No:	26/0295	Statutory Period Expires:	10th June 2026
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Site:	10 Pencarn Avenue Coedkernew Newport NP10 8TJ		
Proposal:	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED LOFT CONVERSION TO INCLUDE 3 NO. REAR DORMER WINDOWS		
Applicant:	S Smith		
Type:	Lawful Development Proposed	Ward:	Tredegar Park And Marshfield
Decision:	GRANTED		

1. BACKGROUND

1.1 None.

2. SITE LOCATION AND CONTEXT

2.1 10 Pencarn Avenue is located within an established residential area characterised predominantly by detached and semi-detached dwellings. The surrounding streetscene comprises a mix of traditional and modern properties, with defined boundary treatments including hedging and fencing.

3. DESCRIPTION OF DEVELOPMENT

3.1 This application seeks a lawful development certificate to prove that the conversion of a loft and addition of 3no. rear pitched roof dormer windows, and 3no. roof lights do not require planning permission.

Dormer dimensions:

H: 1.5m in height

W: 1.37m (1.6m in width to roof overhang)

D: 2m

Individual volume= 2.05m³

4. RELEVANT SITE HISTORY

App Number	Proposal	Decision	Decision Date
02/0089	ERECTION OF 17 DETACHED DWELLINGS	GC	13/03/2002

5. PLANNING POLICY

5.1 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1.

6. CONSULTATION RESPONSES

6.1 None.

7. PUBLIC REPRESENTATIONS

None.

8. ASSESSMENT

- 8.1 The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B sets out permitted development for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. The applicant seeks permission for 3no. pitched roof dormers to the rear of the dwelling.
- 8.2 There are conditions which are set out for permitted development. When assessing the scheme as submitted, the dormers do not exceed the cubic content of the original roof space by more than 50m³. The dormer is set up from the eaves by 1.4m, meeting the minimum requirement of 20cm, and the overall height of the dormer would not exceed the height of the dwelling. The dormers are also situated to the rear of the dwelling. The dormers would be finished in cream render to match existing window cill. It is therefore, considered that the dormers comply with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B.
- 8.4 It is also noted there are 3no. roof lights proposed to the front roof plane. The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B sets out permitted development for any other alteration to the roof of a dwellinghouse. From the elevations provided it demonstrates that the roof lights project from the roof plane by approximately 6cm, which is under the 15cm limit. The applicant has also confirmed that the windows will match the existing dwelling. It is therefore considered that the roof lights are in accordance with The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class C.

9. OTHER CONSIDERATIONS

9.1 ***Crime and Disorder Act 1998***

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. This duty has been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable increase in crime and disorder as a result of the proposed decision.

9.2 ***Equality Act 2010***

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership.

9.3 Having due regard to advancing equality involves:

- removing or minimising disadvantages suffered by people due to their protected characteristics;
- taking steps to meet the needs of people from protected groups where these differ from the need of other people; and
- encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

9.4 The above duty has been given due consideration in the determination of this application. It is considered that there would be no significant or unacceptable impact upon persons who share a protected characteristic, over and above any other person, as a result of the proposed decision.

9.5 *Planning (Wales) Act 2015 (Welsh language)*

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material effect upon the use of the Welsh language in Newport as a result of the proposed decision.

9.6 *Newport's Well-Being Plan 2018-23*

The Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with the sustainable development principle to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. This duty has been considered during the preparation of Newport's Well-Being Plan 2018-23, which was signed off on 1 May 2018. The duty imposed by the Act together with the goals and objectives of Newport's Well-Being Plan 2018-23 have been considered in the evaluation of this application. It is considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the proposed decision.

10. CONCLUSION

- 10.1 Overall, the development proposed accords with the regulations set out within The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, Schedule 2, Part 1, Class B and C. Therefore, the scheme is granted.

11. DECISION

GRANTED

01 The development is in accordance with Schedule 2, Part 1, Class B and C of The Town and Country Planning (General Permitted Development) Order 1995 (as amended).

NOTE TO APPLICANT

01 This decision relates to plan Nos: 25-2457-DWG-02 - Existing/Proposed Floor Plans and Elevations; 25-2457-DWG-01 - Site Location Plan; Window materials

02 The development plan for Newport is the Newport Local Development Plan 2011 – 2026 (Adopted January 2015). No Policies were relevant to the determination of this application.

03 Due to the minor nature of the proposed development (including any demolition) and the location of the proposed development, it is considered that the proposals did not need to be screened under the Environmental Impact Assessment Regulations.